

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT**

IN RE:

Jessica L Narsesian,

DEBTOR.

CHAPTER 13

CASE NO. 17-42855-MBM

JUDGE MARCI B. MCIVOR

**TRUSTEE'S MOTION TO TERMINATE ORDER EXCUSING
ENTRY OF THIRD-PARTY PAYMENT ORDER AND ORDER
TO DEBTOR TO REMIT PAYMENTS TO CHAPTER 13
TRUSTEE BY ELECTRONIC TRANSFER OF FUNDS**

NOW COMES the Chapter 13 Standing Trustee in this matter, David Wm. Ruskin, and moves this Honorable Court to terminate the Order Excusing Entry of Third Party Payment Order and Order to Debtor to Remit Payments to Chapter 13 Trustee by Electronic Transfer of Funds, and in support thereof states as follows:

1. Debtor commenced this case by filing a voluntary petition under Chapter 13 of the United States Bankruptcy Code on March 1, 2017. 2. On June 23, 2017, this Court entered its Order Excusing Entry of Third Party Payment Order and Order to Debtor to Remit Payments to Chapter 13 Trustee by Electronic Transfer of Funds ("ACH Order").

3. In the six calendar months preceding the filing of this Motion, Trustee has processed six ACH transfer requests. Of those ACH payment transfer requests, four have been refused by Debtor's bank as Debtor's account has failed to contain sufficient funds to honor the ACH withdrawal request.

4. Debtor's continued participation in the ACH process is of no benefit to Debtor, creditors or the estate. Trustee continues to process ACH requests which are not honored by Debtor's bank. Debtor continues to incur non-sufficient funds bank charges, further eroding Debtor's already tenuous financial position. Creditors receive no benefit as the ACH transfers are refused, resulting in no funds being available for disbursement to creditors.

5. The Trustee requested Debtor's concurrence in the relief requested in this Motion at least 7 days prior to filing. Debtor did not respond to the request for concurrence in the relief requested in this Motion.

WHEREFORE, the Chapter 13 Standing Trustee requests that this Court enter its Order Terminating Debtor's Participation in the Electronic Transfer of Funds Program pursuant to this Court's Order Excusing Entry of Third Party Payment Order and Order Directing Debtor to Remit Payments to Chapter 13 Trustee by Electronic Transfer of Funds; and releasing the Trustee from any obligation to process Electronic Transfer of Funds requests or payments in this case; and directing such other and further proceedings as this Court deems just and appropriate under the circumstances.

OFFICE OF DAVID WM. RUSKIN,
STANDING CHAPTER 13 TRUSTEE

Dated: December 20, 2018

By: /s/ Thomas D. DeCarlo
LISA K. MULLEN (P55478)
THOMAS D. DECARLO (P65330)
Attorneys for Chapter 13 Trustee,
David Wm. Ruskin
1100 Travelers Tower
26555 Evergreen Road
Southfield, MI 48076-4251
Telephone (248) 352-7755

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**ORDER TERMINATING ORDER EXCUSING ENTRY OF THIRD-PARTY
PAYMENT ORDER AND ORDER TO DEBTOR TO REMIT PAYMENTS
TO CHAPTER 13 TRUSTEE BY ELECTRONIC TRANSFER OF FUNDS**

This matter came on for hearing upon a Motion filed by the Chapter 13 Standing Trustee pursuant to E.D. Mich. LBR 9014-1, a Notice of Trustee's Motion To Terminate Order Excusing Entry Of Third Party Payment Order And Order To Debtor To Remit Payments To Chapter 13 Trustee By Electronic Transfer Of Funds having been provided, and the Court being otherwise sufficiently advised in the premises;

IT IS HEREBY ORDERED that the Court's Orders Excusing Entry of Third Party Payment Order and Order Directing Debtor to Remit Payments to Chapter 13 Trustee by Electronic Transfer of Funds are terminated;

IT IS FURTHER ORDERED that the Trustee is released from any obligation to process Electronic Transfer of Funds requests or payments in this case.

EXHIBIT 1